

AUG 17 2016

CLERK, U.S. DISTRICT COURT
NORFOLK, VAAFFIDAVIT IN SUPPORT OF APPLICATION
FOR ISSUANCE OF A CRIMINAL COMPLAINT

2:16MJ339

I, Paul G. Wolpert, being first duly sworn state:

1. I am a Special Agent of the Department of Homeland Security, Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), currently assigned to the Office of the Assistant Special Agent in Charge (ASAC), Norfolk, Virginia. I have been so employed since April 2002. As part of my daily duties as an HSI agent, I investigate criminal violations relating to child exploitation and child pornography¹ including violations pertaining to the illegal production, distribution, receipt, and possession of child pornography, in violation of 18 U.S.C. §§ 2251, 2252 and 2252A, as well as coercion and enticement, in violation of 18 U.S.C. § 2422. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256(8)) in all forms of media including computer media.

2. Your affiant has assisted in the investigation of the offenses described in this affidavit. As a result of your affiant's participation in this investigation and a review of reports made by other law enforcement officers, your affiant is familiar with the circumstances of this on-going investigation. I have not included each and every fact known to me in this affidavit, but only the facts I believe are necessary to establish probable cause to believe John Francis ARAGON has engaged in the crime of coercion and enticement of a minor, in violation of 18 U.S.C. § 2422(b).

LEGAL AUTHORITY

3. 18 U.S.C. § 2422(b) provides that any person who, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be punished.

4. Virginia Code § 18.2-63(A) punishes a person if the person carnally knows, without the use of force, a child thirteen years of age or older but under fifteen years of age. "Carnal knowledge" includes the acts of sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, and animate and inanimate object sexual penetration.

¹ "Child Pornography means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where – (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; . . . [or] (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct." For conduct occurring after April 30, 2003, the definition also includes "(B) such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct." 18 U.S.C. § 2256(8).

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PROBABLE CAUSE TO ARREST JOHN FRANCIS ARAGON

5. In May 2016, a Detective from the Virginia Beach Police Department initiated contact in an undercover capacity with someone who posted an ad on Craigslist expressing their desire to engage in sexual acts with a young girl. Included in the ad were instructions to send a text response to a provided telephone number. The posted ad in "Casual Encounters" read:

SEEKING: EBONY BABI – m4w (vb)

Im an older Spanish freak man in need of fetish sex with young girl, I like pee and lick booty hole/ arrangement for s*e*x txt pics/details 757*718*zerofivesixthree

6. The Detective sent a response email to the poster of the ad. Then, the Detective and the poster of the ad communicated via Craigslist email forwards and then through text messaging. In the initial communications, the undercover Detective informed the unknown individual that "she" was fourteen years old, and during further text communications repeatedly informed the unknown individual she was fourteen years old. The unknown individual, later identified as John Francis ARAGON, responded that he was ok with her age. The initial U/C contact and subsequent postings are:

U/C – Hi I seen your ad. What age are you looking for?

ARAGON – Open to any age

U/C – im 14 lol dunno if thats a prob ;)

ARAGON – Send pics and what you do for fun

U/C – sry, mom is being a b!!@%, she just left 4 wrk. I dont really know u I dont wanna send u pix lol

ARAGON – Ok, wyd

U/C – skipped school "sick" lolz wbu

ARAGON – chillin at work

ARAGON – Tell me about yourself

U/C – im [U/C] ;) im 14 and i basically just hang out with my friends and go to the mall lol my grades r 2 bad to play sports at school wbu

ARAGON – Older Spanish man . I build houses and like the beach and shopping with pretty girl lol

ARAGON – What r u looking for ? Do you enjoy older men ?

U/C – ummm lol well i wuldnt mind an older guy. im new to all ths buttttt am open to sugestions wbu

ARAGON – Txt me plz

7. The communications continued between May 18, 2016 to August 16, 2016 via text messaging to ARAGON's listed phone number of 757-718-0563. The subject of the text communications eventually was directed by ARAGON towards him meeting the fourteen year old girl and engaging in sexual acts with her. Examples of these communications are:

ARAGON Do u have bf ?
 U/C no way lol jus brke up w him a few wks ago n i am dun
 ARAGON How old was he ? U looking for friend ??
 U/C he wuz14 n a jerk. wut u mean by friend?
 ARAGON Can we be friends or more ? Do u like older boys?
 U/C lol yaa 4 sre. i thnk oldr guyz wil treat me bttr :)
 ARAGON How old do u like ? What's oldest bf you've had ?
 U/C lol wel ive nevr had an oldr guy than my last bf. i duno how old i lik 4 real
 ARAGON Oh ok. Well I can treat u good . im older too
 U/C i thnk i need tht lol ;) im sooo ovr thse boyz
 U/C do u hve a gf?
 ARAGON Not a young one lop
 U/C o rly!? ;)
 ARAGON Lol
 U/C i jus wana knw how 2be trted rite
 ARAGON I can treat u right I promise
 U/C how cn u say dat n make me blve u? lol all guyz say dat

ARAGON What makes you feel pretty ? I like making my girl happy
 U/C aw ur so sweet ;) i luv jus drssng up n putng on glitter lipstck lol
 U/C wut is ur name newayz lol u nvr said
 ARAGON Jay

ARAGON Do u have friends that have older bf's or daddy's lol ?
 U/C lol well one frien has a bf in HS
 U/C wuts a daddy ? lol
 ARAGON An older man who takes care of a younger women .
 U/C ohhhhhhhh. lik wht do thy do? i feel so dumb ;(sry
 ARAGON Im older guy
 U/C i kno. i wuz wndring wht thy do. it souns kool
 ARAGON Take care of what his girl needs . Is it a problem im an older guy ?
 U/C no way:) is it a prb tht im 14?
 ARAGON No its fine
 U/C aw yay ;) ive alwys wondrd wht an oldr man wuld be lik
 ARAGON We are kind , gentile and sweet lol
 U/C hmmm lol hve u had a gurl my age b4?
 U/C in exctd lol
 ARAGON Not that young . 16 is youngest lol
 U/C wow n she wuz fun to hng out w/?
 ARAGON Sure and play with lol
 U/C wut did u do ;)

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ARAGON Movies and made out and went too dinner . Fun stuff

ARAGON Do u want too make out and cuddle ? What do u want too try ?
U/C um lol whtever realy. wht do u wana do w/ me :)
ARAGON Kiss, cuddle, touch
U/C oh i did tht w/ my ex
ARAGON Ok, its fun .
U/C ya i gues so
ARAGON What do you want me to do with you ? I don't want to pressure you
U/C i mean im open to thngs
ARAGON Ok ... We can experiment and I'll make you feel good
U/C wut thngs is experment mean? lol thas a science term!
ARAGON Try new things and see if you like it lol
U/C lik wut lol
ARAGON What do u want too try ?
U/C i duno ive only kisssd n stuff! wut is thr
ARAGON Touch and stuff. Are you curious about sex ?
U/C mmmm wel ya :)
ARAGON Ok good
U/C i need 2 be taugt tho...its nervus 4 me
ARAGON I'll be gentile and not pressure you. You will have fun

ARAGON Ya , rain blah . does your mom let you go places by yourself?
U/C not usally
ARAGON How can we meet and hang out ? R u allowed too date ?
U/C welli wna kno wht u wna do 1st lol ur stil a strngr 2 me
ARAGON What do u want too know so we can get to know each other better ? Do u like me so far ?
U/C i realy do! i wana knw wht we wuld do 2gethr
ARAGON Hang out , hold hands, watch movie or cuddle on the beach . Whatever your comfortable
U/C oh ok. is tht it? lol pepl would luk at us wierd i thnk
ARAGON We can do more if you want . Me can do where no one can see us
U/C lik wht else :)
ARAGON Whatever you want and comfortable with lol
U/C mmmm lol i duno wht tht means....
ARAGON I don't want you too feel pressured or uncomfortable when we are together
U/C oh i wuldnt. i am dwn 4 n e thng...i jus wnt 2 knw wht u hve n mind lol it wil get me exctd
U/C i feel prty comfy w u alrdy :)
ARAGON We can cuddle and I can kiss your nipples
U/C omg tht sounds so guuuud :)
ARAGON Good lol yummy
U/C nobdy has evr don tht 2 me b4 :)

ARAGON I want to babi

ARAGON Do ur panties get wet when your exited?
U/C umm maaaybheeee :)

ARAGON Oh ok. Has a boy touched your kitty before?
U/C u wurk alot lol
U/C lol wut a kitty??
ARAGON Your private area . What do u call it ?
U/C wel i kno what its called. didnt hve n e nicknmes lol
U/C nevr herd kitty lol but is cute
ARAGON Call I call it " kitty "

ARAGON What color panties and bra are you wearing lol. Does your mom know your txting me ?
U/C noooo she dosnt lol and im wearinnnnn blk boy shorts n a mtching bra...a littl lacing :)
U/C whts ur fav color :)
ARAGON Pink and purple. How do u hide my txts ?

U/C u tell me a secret!!
ARAGON Oh...ok.. I want too kiss your nipples and kitty ... I like you too lol. Secrets lol
U/C mmmmm!!! ne more secrts? lol
ARAGON Ummmmm. Lol
ARAGON Do u want me too kiss your kitty ?

ARAGON Has anyone touched your nipples pr kitty ?
U/C no :/ but i hve kissd b4 n its fun
ARAGON Oh ok.... Are curious about being kissed in other places ?
U/C wut do u wana do? lol
ARAGON Kiss your kitty and lick it

ARAGON Is it ok if I ask personal sex stuff ?
U/C sure lol!
ARAGON Have u touched yourself or had an orgasm ?
U/C mmm no :/ lol
ARAGON Well.... I want too give u an orgasm
U/C oh ya!? how? :)
ARAGON Lick your kitty and rub your clit

ARAGON I want too make out with you and suck your nipples

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U/C awww :)
ARAGON Yummy
ARAGON Are your nipples or kitty sensitive?
U/C yes!
ARAGON Good. I want too suck and lick them both yummy

ARAGON Can I have something lol
U/C hm wut!!? :)
ARAGON Can I have a pair of your worn panties please lol

ARAGON Oh. Did u tell her about me ?
U/C oh nooooo lol jus u n me
ARAGON Ok. I want you babi
U/C aww!
ARAGON I need a kiss
U/C oh yaaa :)
ARAGON Can I kiss your kitty and nipples babi ?

ARAGON Tell me what you want us too do together?
U/C um i duno :) u tel me!
ARAGON I want too lick your kitty babi
U/C is tht ur fav thng 2 do
ARAGON No but one of my favorite lol. I want too make you happy
U/C wuts ur fav thng then
ARAGON Sucking nice nipples

ARAGON What color bra and panties are you wearing? Lol
U/C um i hve th pink ones on again lol
ARAGON Yummy babi. I want you

ARAGON Can I ask u a personal sexual question lol?
U/C lol sure
ARAGON Do u touch yourself when your horny in bed lol?

ARAGON Is it ok I like you and want you ? Do you think it ok ?
U/C i think its ok as lng as u do!! i thought u were gunna thnk i was 2 young
ARAGON No , I like young girls. Are you attracted too older men ?

U/C ya!
ARAGON Good lol
U/C how old did u say ur kids wer? i hope thy dont thnk im wierd
ARAGON 5,7. lots of girls like older men its normal

ARAGON Do u want to try sex ?
U/C umm maybe
ARAGON What do u want me and you to do together?
U/C um i dunnooooooooo wht do u wnt 2 do? lol
ARAGON Make out and lick your nipples and kitty till you orgasm

ARAGON Have you worn a dress and no panties before ?
U/C um no lol thts gross
ARAGON Oh ok sorry I asked lol
U/C lol its ok. i jut dont wnt my butt showing!
ARAGON I bet u have a cute butt lol
ARAGON I want too squeeze your butt while making out lol

ARAGON Can I kiss your kitty ?
U/C not right now lol
ARAGON Do u want me too ?
U/C um mayb....if ur nice :)
ARAGON Im very nice and would make your kitty very happy lol. I bet she is beautiful lol
U/C lol u thnk so?
ARAGON I bet she is. Can I ask personal question about your kitty ?
U/C ummm sure lol
ARAGON Do u shave her or does she have hair ? Sorry if its uncomfortable for you don't answer lol
U/C um not much hair yet lol...is tht bad?
ARAGON No, she naturally has a little bit of hair ? Im curious sorry.
U/C o ok good
ARAGON I like a little bit of hair when I kiss and like your kitty . Yummy
U/C :)
ARAGON Is it ok that I tell you what I want too do with you and sexual things ?

ARAGON Do your nipples get hard when your excited ?
U/C um ya sumtimes
ARAGON Yummy . I want too kiss them babi

ARAGON Do u think we can meet when your out of school?

U/C um ya i thnk so!! tht would be kool
ARAGON Ya im excited too meet you babi

ARAGON I'd like too kiss and maybe more
U/C wut is more? lol
ARAGON I'd like too touch your breasts and grab your booty
U/C ohhh...tht sounds fun lol
ARAGON Ya , I want too make u feel good
ARAGON We can make out and I can touch your body
U/C Yaa
ARAGON Are you excited about me touching you and making you have an orgasm ?
U/C ya im exctd 2 meet u
ARAGON Are you ok that im older ?
U/C ya as long as u r ok tht im 14 lol
ARAGON Ya , that's sexy and I want too teach you things about sex

ARAGON What r u wearing? Color panties and bra ?
U/C pink, thyre matching
ARAGON Yummy . Does it bother you that I talk about sexual things ?
U/C no!! its ok :)
ARAGON Ok... I really want you and want too make you cum
U/C how can u do tht? lol sry, its new 2 me
ARAGON Lick and rub your kitty and you will cum in my mouth. Yummy
U/C realy? does it feel tht goood? :)
ARAGON Ya , you will moan and love it

U/C Hi
ARAGON Hi
U/C What r u doing
Working, I took yesterday off to go see you and hang out.
ARAGON You told me you were at your aunts
U/C WHAT! I should have told me. I went to ocean breeze
ARAGON I could have met you there
ARAGON You said we were meeting yesterday and going to park

U/C next week I can meet tues or wed
U/C mon Im goin with friend 2 outlet malls
ARAGON Do u need money?
U/C Heck ya! im gettin sum from my mom tho
U/C Wuld u really giv me sum?
ARAGON I can give u money Sure

Handwritten signature/initials

U/C Wow u r 2 nice
 U/C we haven't even met yet
 U/C Ur not tryin to buy me r u? :)
 ARAGON Ya . I want some of your panties lol

ARAGON Ya , I want to take care of you
 ARAGON How much u need
 U/C how wuld u take care of me? and 1 million
 ARAGON Help u with what u need
 U/C i guess i need \$ then
 ARAGON How much? I need your panties lol

AUGUST 15, 2016

ARAGON Ok, we can meet tomorrow. Can u wear booty shorts or sun dress?
 U/C ive got both what do u like more?
 ARAGON Would u feel comfortable in a sundress and me touching you?
 ARAGON We can have a safe word. Ill stop when you tell me too
 U/C touching me over the dress or under?
 U/C a safe word?
 U/C like help im being attacked? lol
 ARAGON No... like pink or something. Yes, under your dress if comfortable
 ARAGON A nice word we agree on so I'll stop what I'm doing. I want you to be comfortable
 ARAGON I want to kiss you and touch you if you want me too
 U/C ok, because i trust youll go slow
 U/C r u going to want to touch my kitty lol
 ARAGON Yes, I'll go slow. I want too touch your breasts and kitty if you want. I want too lol
 U/C ok im a little nervous but since youve done it before i trust u kno what ur doing
 ARAGON Yes, I'm experienced with young girls. Ill be slow. Do u like too kiss?
 U/C i think so i liked it with my x bf
 ARAGON Ok, we can start with just regular kissing... then tongue kissing
 U/C ok and youll touch me at same time?
 ARAGON Yes, if ok with you. Its nicer when we kiss and I touch you. You'll feel amazing and enjoy it. I promise
 U/C hehe ok
 ARAGON Have u ever seen a mans private parts before? Just curious. I'm not pressuring you with anything
 U/C lol no!

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8. During the relevant time period, your affiant took over the U/C detective's role in the conversations. Subsequent text messaging between ARAGON and myself acting in the U/C capacity followed the same pattern of sexual interactions. At one point, ARAGON wanted to meet me to engage in the illicit sexual acts. Additional text messaging included ARAGON requesting from the girl for her to leave a pair of her worn underwear in a discreet location in a park near where he believed her to reside. In exchange, ARAGON informed her he would leave a present of money in the same location for her to pick up. ARAGON has repeatedly stated he wanted to take care of her. On three separate occasions ARAGON has left money in the park, including on August 16, 2016, under a rock that he brought to the park in an attempt to hide the exchanges. On two occasions, ARAGON has retrieved two pairs of girls' underwear from the same location.

9. The subject used the cellphone number 757-718-0563 to conduct the chat communications. A check with an online database revealed the phone number belonged to T-Mobile. On or about June 1, 2016, the VB Detective issued a court order to T-Mobile for subscriber information.

10. On or about June 6, 2016, T-Mobile responded and provided the account subscriber as Francis L. ARAGON of Pueblo, CO. Further records checks indicated John Frances ARAGON being associated with that address and Francis ARAGON being a relative.


11. A check was also conducted in a law enforcement database for any prior information for the phone number. Previous records associated with the phone number indicated the number belonged to John Francis ARAGON of Virginia Beach, VA, for previous contact with Law Enforcement. A check with the Virginia DMV revealed ARAGON had changed his residence to another residence in Virginia Beach, VA. ARAGON also sent pictures to the U/C text account that matched pictures of John Francis ARAGON.

12. On August 16, 2016, after previous text messaging, ARAGON attempted to meet with the 14 year old girl at a pre-determined location to engage in illicit sexual activity. Upon arriving at the location, ARAGON was approached by the investigators and detained. After being advised of his *Miranda* rights, ARAGON was interviewed and provided, in part, the following information; ARAGON initially stated he had come to the location to "run" and denied any other reason. Your affiant informed ARAGON that he had other information that countered his explanation. Eventually, ARAGON began to cooperate and stated he had come to the location to see who would show up referring to someone that he had been communicating with through text messages. ARAGON acknowledged he had been communicating with someone that he initially began contact with through Craigslist and had believed they were at least eighteen years old because he thought that was a requirement for Craigslist. Your affiant informed ARAGON he had seen the text messages where ARAGON was informed numerous times the person he was communicating with was underage. ARAGON tried to explain the concept of "cat fishing" and his belief the person may not have been as they portrayed. ARAGON was hesitant to go into further details regarding his text communications. Also during the interview, ARAGON granted consent to the agents to review the contents of his cell

phone, which included the exchanges with your affiant, as well as other text communications with additional individuals in which the contents were related to the molestation of underage boys. ARAGON stated the exchanges were just fantasy and he had never physically interacted with anyone underage. ARAGON stated this was the first time he had ever tried to meet anyone and nothing would have happened and pointed out he did not have any objects to facilitate that type of activity such as condoms, lotions etc. to support the claim. ARAGON was informed a condom had been discovered in his vehicle in which ARAGON stated he really had no idea how it had gotten in the vehicle. The condom appeared to be old and was located in the door with other mail and trash items. ARAGON gave agents consent to go to his house and retrieve the pairs of underwear and his laptop computer since he primarily used it to access his email account

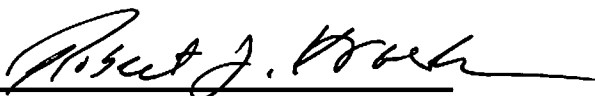
13. Based on the information and evidence set forth above, your affiant respectfully submits that there is probable cause to believe that John Francis ARAGON has committed the following offense: from on or about May 16, 2016, to August 16, 2016, in Virginia Beach, in the Eastern District of Virginia, and elsewhere, John Francis ARAGON, using a facility or means of interstate or foreign commerce, knowingly persuaded, induced, enticed, and coerced an individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, namely a violation of Virginia Code 18.2-63(A), or attempted to do so, in violation of Title 18, United States Code, Section 2422(b).

14. Accordingly, I request that a criminal complaint be issued.



Paul G. Wolpert
Special Agent
Department of Homeland Security
Homeland Security Investigations
Norfolk, VA

Sworn to before me this 17th day of August, 2016.



United States Magistrate Judge
Eastern District of Virginia